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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.4150 0F 2005**
**WITH**
**INCOME TAX APPEAL (LOD) NO.1746 OF 2005**
**AND**
**NOTICE OF MOTION NO.4160 0F 2005**
**WITH**
**INCOME TAX APPEAL (LOD) NO.1745 OF 2005**

The Commissioner of Income Tax ..Appellant.

V/s.

Abdul Majid F. Mansuri ..Respondent.

Mr.R.Ashokan for appellant.

Ms.Aasifa Khan for respondent.

**CORAM : F.I.REBELLO AND**
**J.P.DEVADHAR, JJ.**

**DATED : 11TH SEPTEMBER, 2007.**

**P.C. :-**

As the tax incidence is less than Rs.4 lakhs and considering the CBDT circular, we find that the appeals ought not to have been filed. Question of law, if any are left open for consideration in an appropriate case. Hence the Motion and Appeal dismissed with no order as to costs.

**(F.I.REBELL0, J.)**

**(J.P.DEVADHAR, J.)**